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March 28, 2024

Hon. Arun Subramanian
United States District Judge
United States District Court
500 Pearl Street
New York, New York 10007

Re: *Belya v. Hilarion, et al.*
Case No.: 20-cv-6597-SDNY (AS)

Dear Judge Subramanian:

We are counsel for Defendants, and we write jointly with Plaintiff's counsel to respectfully submit this letter requesting a 30-day extension for fact depositions, and 30-day extensions for expert reports, expert depositions, and motions for summary judgment.

Currently, the outstanding deadlines are as follows:

Completion of Fact Depositions: April 5, 2024
Expert Reports: May 6, 2024
Completion of Expert Depositions: June 6, 2024
Contemplated Motions: July 5, 2024

The parties jointly request a 30-day extension their fact deposition deadline. Because the requested extension will affect other deadlines in this case, the parties request 30-day extensions for the other deadlines, resulting in the following extensions:

Completion of Fact Depositions: May 6, 2024
Expert Reports: June 5, 2024
Completion of Expert Depositions: July 6, 2024
Contemplated Motions: August 4, 2024

The parties have not previously requested an adjournment or extension.

A limited, 30-day extension of the fact deposition deadline is warranted here. The parties have been diligently working to conclude discovery, but due to scheduling difficulties for both parties and interpreters, they are unable to complete fact depositions by the April 5 deadline. To date, the parties have conducted or scheduled 10 depositions within the April 5 deadline. This includes the depositions of the following Defendants and ROCOR Synod members in this case:

- Archpriest Victor Potapov, a member of the Eastern American Diocese of the Russian Orthodox Church Outside of Russia's Diocesan Council, was deposed on February 13;
- Archpriest David Straut, a member of the Eastern American Diocese's Diocesan Council, was deposed on February 16;
- Archpriest Alexandre Antchoutine, a member of the Eastern American Diocese's Diocesan Council, was deposed on February 20;
- Metropolitan Nicholas Olhovsky, First Hierarch of ROCOR and President of the Eastern American Diocese's Diocesan Council, was deposed on February 21;
- Archpriest Mark Mancuso, a member of the Diocesan Council, was deposed on March 5 as the Rule 30(b)(6) representative of the Eastern American Diocese;
- Archbishop Kyrill (Boris Dmitrieff), Archbishop of San Francisco & Western America, was deposed on March 13;
- Archpriest Serge Lukianov was deposed on March 14;
- Bishop Irenei, member of the Synod of the Russian Orthodox Church Outside of Russia, was deposed on March 25 as the Rule 30(b)(6) representative of the Synod of the Russian Orthodox Church Outside of Russia;
- Archbishop Gabriel Chemodakov, member of the Synod of the Russian Orthodox Church Outside of Russia, was deposed on March 26;
- Archpriest Serafim Gan was deposed on March 28.

Plaintiffs are scheduled to depose Defendant Archpriest George Temidis on April 15. Defendants are scheduled to depose Plaintiff on April 10 and fact witness Church Warden Ivan Belya, Plaintiff's brother, on April 26.

Plaintiff's counsel and Defendants' counsel state that good cause exists to grant the parties' request, including the necessity of scheduling around religious holidays observed by Defendants, Plaintiff, and counsel, including Russian Orthodox observation of Great Lent and Jewish observation of Passover. The need for an interpreter qualified to translate for Plaintiff and Ivan Belya's depositions has also caused delays. Plaintiff's counsel and Defendants' counsel further state that the relief requested will not prejudice any party. The parties therefore respectfully request that this Court grant their joint letter request for an extension of time.

We thank you and the Court for your time and consideration of this request.

Very truly yours,


Donald J. Feerick, Jr.

cc: All Counsel (*Via ECF*)